

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BRIAN HUDDLESTON,

Plaintiff,

vs.

**FEDERAL BUREAU OF
INVESTIGATION and UNITED
STATES DEPARTMENT OF
JUSTICE**

Defendant

Case No. 4:20-cv-447-ALM

**UNOPPOSED MOTION FOR EXTENSION OF TIME
AND FOR RELATED RELIEF**

NOW COMES Brian Huddleston, the Plaintiff, moving the Court to grant an additional two-week extension of time to respond to the Defendant FBI's Combined Reply / Response to Pending Briefing Regarding Seth Rich's "Laptops" (hereinafter "Defendant's Response") (Dkt. #83):

Mr. Huddleston moves the Court to extend the deadline for filing his reply / surreply to the Defendants' Response from December 30, 2022 until January 13, 2022. Plaintiff's Counsel is still traveling back and forth to Texas to see his mother, who is in hospice, and Plaintiff's Counsel himself became sick during the holidays.¹ Another

¹ As witnessed by his electronic signature below, Ty Clevenger declares under penalty of perjury under the laws of the United States that his factual representations in this document are true and correct.

attorney has agreed to assist Plaintiff's Counsel in this matter, but that attorney has not yet been able to assist with the research and briefing.

Mr. Huddleston would further note that the "Defendant's Response" is far more complex than a typical response. Mr. Huddleston asked the Court to clarify its order with respect to the work laptop, and the FBI responded with what is effectively a new motion for summary judgment. Specifically, FBI Section Chief Michael G. Seidel has revealed items and records that were heretofore unknown, including a DVD disk, a tape drive, and report on the work laptop. *See* Sixth Declaration of Michael G. Seidel (Dkt. #83-1) ¶¶11 and 15. The Defendant's Response then argues, as the government normally would in a motion for summary judgment, that the records should not be disclosed. *See* Defendant's Response 3-6. Mr. Huddleston therefore requests permission to file a response of not more than 30 pages, as would normally be permitted in a response to a motion for summary judgment. *See* Local Rule CV-7(a)(1).

Mr. Huddleston further moves the Court to permit him to file his surreply to the FBI's motion for reconsideration (Dkt. #73) separately. The Defendant's Response was, in fact, a response to Dkt. #77 combined with a reply to Dkt. #73. Mr. Huddleston believes a separate surreply regarding the personal laptop (as distinguished from the work laptop) would clarify and expedite matters. Finally, Mr. Huddleston moves the Court to grant him permission to file a surreply of not more than ten pages. The Defendant's Response includes a sixth evidentiary declaration from Michael G. Seidel, and Mr. Huddleston must respond to the latest declaration.

Respectfully submitted,

/s/ Ty Clevenger

Ty Clevenger

Texas Bar No. 24034380

147 Prince Street, Suite 2-15B

Brooklyn, New York 11201

(979) 985-5289

(979) 530-9523 (fax)

tyclevenger@yahoo.com

Counsel for Plaintiff Brian Huddleston

Certificate of Conference

On December 29, 2022, I conferred via telephone with Asst. U.S. Attorney Andrea Parker, and she indicated that the Defendants do not oppose this motion.

/s/ Ty Clevenger

Ty Clevenger

Certificate of Service

On December 29, 2022, I filed a copy of this response with the Court's ECF system, which should result in automatic notification via email to Asst. U.S. Attorney Andrea Parker, Counsel for the Defendants, at andrea.parker@usdoj.gov.

/s/ Ty Clevenger

Ty Clevenger